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AEQUITAS MANAGEMENT, LLC; AEQUITAS HOLDINGS, LLC;
AEQUITAS COMMERCIAL FINANCE, LLC; AEQUITAS
CAPITAL MANAGEMENT, INC.; AEQUITAS INVESTMENT
MANAGEMENT, LLC

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

AEQUITAS MANAGEMENT, LLC;
AEQUITAS HOLDINGS, LLC;
AEQUITAS COMMERCIAL FINANCE,
LLC; AEQUITAS CAPITAL
MANAGEMENT, INC.; AEQUITAS
INVESTMENT MANAGEMENT, LLC;
ROBERT J. JESENİK, BRIAN A.
OLIVER; and N. SCOTT GILLIS,

Defendants.

No. 3:16-cv-00438-JR

ORDER GRANTING THE RECEIVER'S
OBJECTION TO AND REQUEST FOR
DISALLOWANCE OF THE PROOF OF
CLAIM FILED BY LIGHTHOUSE
DOCUMENT TECHNOLOGIES, INC.

This matter having come before the Honorable Jolie A. Russo on the Receiver's
Objection To And Request For Disallowance Of The Proofs of Claim Filed By Lighthouse



Document Technologies, Inc. [Dkt. 947] (the “Objection”), and the Court, being fully advised in the premises, now, therefore,

THE COURT FINDS as follows:

A. On March 10, 2016, the Securities and Exchange Commission (“SEC”) filed a complaint in this Court against the Entity Defendants¹ and three individual defendants, Robert J. Jesenik, Brian A. Oliver, and N. Scott Gillis.

B. On March 16, 2016, pursuant to the Stipulated Interim Order Appointing Receiver, the Receiver was appointed as receiver for the Entity Defendants and 43 related entities on an interim basis (the “Interim Receivership Order”). On April 14, 2016, pursuant to the Final Receivership Order, the Receiver was appointed as receiver of the Entity Defendants and 43 related entities on a final basis.

C. On April 25, 2019, the Court fixed a Claims Bar Date of July 31, 2019; approved the manner of notice of the Claims Bar Date; and approved the Proof of Claim Form, the Claims Procedure, and associated exhibits and attachments (the “Claims Bar Date and Procedures Order”). The Claims Bar Date has passed.

D. On July 19, 2019, Lighthouse submitted a proof of claim asserting an Administrative Claim in the amount of \$28,343.63 (the “Disputed Lighthouse Claim”).

E. On March 31, 2020 the Court entered its Findings of Fact and Conclusions of Law approving the Receiver’s Distribution Plan (the “Court-approved Distribution Plan”).

F. The Court-approved Distribution Plan provides for the classification and treatment of Allowed Claims, including what constitutes a Creditor Claim.

G. The Disputed Lighthouse Claim does not include services that were provided to the Receivership or any Receivership Entity.

¹ Capitalized terms not otherwise defined in this Order shall have the meanings ascribed to them in the Objection.

H. Lighthouse has failed to identify any Receivership Entity as a contracting party and such failure is grounds to invalidate the purported claim.

I. The Master Service Agreement, dated August 19, 2016 and attached to the Lighthouse Claim, states that the “Customers” to the agreement are Robert J. Jesenik, Brian A. Oliver, and N. Scott Gillis and that all services are performed for the benefit of the Customers. None of the three “Customers” has the authority to bind the Receivership for any purpose.

J. Lighthouse has not produced any document, nor is the Receiver aware of any agreement, which is executed by the Receiver nor which binds or obligates the Receivership to Lighthouse.

K. The Disputed Lighthouse Claim does not comply with the definition of an Administrative Claim or evidence any other form of claim validly asserted against the Receivership as determined in accordance with the Court-approved Distribution Plan.

L. Due, timely, and adequate notice of the Objection was given, and such notice was good, sufficient, and appropriate under the circumstances. No other or further notice of the Objection is or shall be required.

The Court having reviewed the Objection, and being duly advised,

IT IS HEREBY ORDERED AND DECREED as follows.

1. The Objection is granted in its entirety.
2. The proofs of claim filed by Elliot Hayes d/b/a Global Merchant House are disallowed in their entirety and no distribution will be paid on account of such claims from the Receivership Estate or the Aequitas Qualified Settlement Fund Irrevocable Trust.

Dated this 12th day of April, 2022.

/s/ Jolie A. Russo
United States Magistrate Judge Jolie A. Russo

SUBMITTED BY:

SCHWABE, WILLIAMSON & WYATT, P.C.

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